

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
JUNE 27, 2012
5:30 P.M.**

MINUTES

The Building & Standards Commission Panel "A" held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Wednesday, June 27, 2012 at 5:30 p.m. with the following members present:

Board Members Present:

Andrew Haggerty
Al Jurado
Paul Gilcrease
Gerardo Licon
Matt Bohannon
Angel Miguel Ochoa
Ira Barbe
Ben Bohannon

Others Present:

Kurt Fenstermacher, Deputy Director
Bill Stern, Deputy Building Official
Lesley Nicholes, Assistant City Attorney
Tom Maguire, Chief Building Inspector
Nellie Avalos, Building Inspector
Roger Iveson, Chief Building Inspector
Kevin Harrell, Building Inspector,
Sonya Cahalan, Building Inspector
Trenda Rocha, Administrative Assistant
Nancy Spencer, Recording Secretary

Absent Members:

Lorraine Huitt

AGENDA

I. Call to Order

The Building and Standards Commission meeting, Panel "B" was called to order by Chairman Andrew Haggerty at **5:35 p.m.**

Chairman Andrew Haggerty sworn in all witnesses present to give testimony on the cases heard.

II. Approval of minutes for the meeting held May 23, 2012.

Motion made by Gerardo Licon and seconded by Ira Barbe to approve the minutes for the meeting held May 23, 2012. Motion unanimously accepted.

Regular Items:

III. Public hearing to determine if the property located at 3915 Tularosa Avenue, in the City of El Paso, is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove or demolish the property. The interested party has been identified as, Saul O. Granados and he has been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Kevin Harrell, Building Inspector, presented the case.

Public comment was provided by Ms. Isaura Licon, sister to the owner of the property. Ms. Licon advised that the property has never been occupied. Ms. Licon also informed the commission that she is in agreement on the staff recommendation to demolish the property and asked the commission who she could talk to for assistance on cost of the demolition.

Commission member Gerardo Licon asked when the certified letter was mailed advising of the condemnation process in 2010. Deputy Building Official Bill Stern informed the commission that property was condemned in 2010 but could not proceed until now, due to the court injunction that was enforced at the time.

Commission member Ira Barbe asked Ms. Licon if she needed assistance on the demolition, and at that time Ms. Licon advised that she was not the owner of the property.

Assistant City Attorney Lesley Nicholes advised that since Ms. Licon is not the registered owner, the property in question will have to go through probate court. Ms. Nicholes suggested to Ms. Licon to seek legal advice on transferring the title to her name. Ms. Licon and the board were informed that once the property was condemned, the owner would be responsible for all legal costs and liens placed on the property imposed by the City of El Paso.

Motion made by Ira Barbe and seconded by Angel Miguel Ochoa to accept staff recommendations. Motion was unanimously accepted.

The owner has been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Department recommends that it be found:

1. That the structure is substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
 2. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 3. That the structures' certificate of occupancy be revoked; and
 4. That the structure cannot be rehabilitated; and
 5. That the structure be demolished within thirty (30) days; and
 6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
 7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- IV. Public hearing to determine if the property located at 1923 E. San Antonio Avenue, the City of El Paso, is a dangerous structure and to determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Santiago Carpio, Jr. & Anna P. Carpio, C/O Ernesto Carpio and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Nellie Avalos, Building Inspector, presented the case.

The commission was advised on a correction on the date of the scheduled public hearing noted on the case chronology for Item 3 and Item 4. The correct date should read June 27, 2012 instead of June 27, 2011.

Public comment on the referenced property was provided by Officer Cruz Morales from the El Paso Police Department. Officer Morales advised that individuals from the Opportunity Center located close by were gaining access into the property. In addition, the property was a fire hazard, drug usage was going on in the area and vagrants were using the property as a drinking area. Since the property located behind a laundromat was open and accessible, it was also a safety hazard.

Motion made by Gerardo Licon and seconded by Ben Bohannon to accept staff recommendations. Motion was unanimously accepted.

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structures are substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
 2. That the structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 3. That the structure's certificate of occupancy be revoked; and
 4. That the structures cannot be rehabilitated; and
 5. That the structures be demolished within thirty (30) days; and
 6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
 7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- V. Public hearing to determine if the property located at 2306 Magoffin Avenue, in the City of El Paso, is a dangerous structure and to determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, John Armendariz and Charles A. Haddad, Mortgagee/Lienholder and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Nellie Avalos, Building Inspector, presented the case.

Motion made by Gerardo Licon and seconded Ira Barbe to accept staff recommendations. Motion was unanimously accepted.

The owner has been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Department recommends that it be found:

1. That the structures are substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2. That the structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
3. That the structures certificate of occupancy be revoked; and

4. That the structures cannot be rehabilitated; and
5. That the structures be demolished within thirty (30) days; and
6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

IV. Adjournment

Motion made by Paul Gilcrease and seconded by Ben Bohannon to adjourn the meeting. Motion unanimously accepted. The meeting adjourned at 7:25 p.m.

Andrew Haggerty, Chairman, Panel "B"

Bill Stern, C.B.O., Deputy Building Official
Code Compliance Division